

REMARKS

Currently Pending Claims

Claims 1, 5, 17, and 18 are pending in the application. No new matter has been added, as support for the claim amendments can be found throughout Applicant's disclosure. Applicant respectfully requests reconsideration and withdrawal of the rejections.

Interview Summary

The undersigned would like to thank the Examiner for the courtesy extended during the telephonic interview of September 24, 2009. The undersigned and the Examiner agreed that an RCE would be beneficial in this case, and thus, Applicant submits this RCE.

Rejection of Claim 1 under 35 U.S.C. §102(b)

Claim 1 stands rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,816,302 to *Shaw et al.* Applicant respectfully traverses this rejection. Nevertheless, to advance prosecution, Applicant has amended independent claim 1 to clarify the claimed invention.

As amended, claim 1 recites,

An article of camouflage for concealing a hunter or hunter's equipment and comprising a camouflage pattern, wherein said camouflage pattern comprises a first plurality of images consisting of wings of a moth or a butterfly but not the body of the moth or butterfly and wherein the first plurality of images cover a substantial portion of the article.

By stark contrast, *Shaw* discloses a decorative wall hanging comprised of a plurality of puzzle pieces. Clearly, this decorative wall hanging is not an article of camouflage for concealing a hunter or hunter's equipment. The Examiner has not found a reference directed to an article with a camouflage pattern having a plurality of images consisting of wings of a moth or a butterfly but not the body of the moth or butterfly. Rather, the

Examiner is relying on a puzzle showing images of butterflies. When assembled, the puzzle pieces display images of multiple butterflies, including the bodies and wings. This is certainly contrary to what is claimed, as the claim recites that the “first plurality of images” consists of “wings of a moth or a butterfly but not the body of the moth or butterfly.” For at least these reasons, claim 1 is not anticipated by *Shaw*. Accordingly, Applicant respectfully requests that the rejection of claim 1 be withdrawn.

Rejection of Claim 5 under 35 U.S.C. §103(a)

Claim 5 stands rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of U.S. Patent No. 4,816,302 to *Shaw et al.* and U.S. Patent No. 6,342,290 to *Conk*. Applicant respectfully traverses this rejection.

For at least the reason that claim 5 incorporates the limitations of independent claim 1, this dependent claim is patentable over the art of record for at least the reasons set forth above with respect to claim 1. Accordingly, Applicant respectfully requests that the rejection of claim 5 also be withdrawn.

New Claims

Claims 17 and 18 are newly added and are believed to be allowable over the art of record. As stated herein, no reference of record is directed to a camouflage pattern having a plurality of images consisting of wings of a moth or a butterfly but not the body of the moth or butterfly or any camouflage pattern mimicking the wing of moth. Accordingly, allowance of claims 17 and 18 is respectfully requested.

CONCLUSION AND REQUEST FOR FURTHER INTERVIEW

In view of the foregoing, it is respectfully submitted that all grounds of rejection have been overcome. Applicant therefore respectfully solicits allowance of the application. Prior to taking up the Examination of the claims, the Examiner is requested to schedule a brief interview with the undersigned attorney, as discussed previously.

Respectfully submitted,
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